

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method implemented in a radio base station for transferring data in a wireless communications system over a wireless interface between a radio network and a user equipment node (UE), comprising the base station performing the following steps:

establishing a communication with the UE having at least one data flow;

receiving ~~at a medium access control layer~~ data units from a radio link control layer in another node other than the base station-which, where the radio link control layer is a higher protocol layer than ~~the~~ medium access control layer;

analyzing at the medium access control layer some or all of a radio link control layer header of a radio link control data unit received from the another node and associated with the one data flow;

based on the analysis, determining at the medium access control layer a priority of the data unit relative to other data units associated with the one data flow; and

scheduling at the medium access control layer transmission of higher priority data units associated with the one data flow before lower priority data units associated with the one data flow.

2. (Previously Presented) The method in claim 1, wherein the analyzing step includes determining the priority based on radio link control data unit header information that does not explicitly indicate a priority for the data unit.

3. (Original) The method in claim 1, wherein the determining step further comprises:

determining whether the data unit is a control type of data unit or a data type of data unit, and

determining the priority based on the determined data unit type.

4. (Previously Presented) The method in claim 1, wherein the method is performed in a radio base station and the determining step further comprises:

prioritizing retransmission of a previously-transmitted data unit associated with the one data flow over an original transmission of a data unit associated with the one data flow.

5. (Original) The method in claim 1, wherein the determining step further comprises:

determining a sequence number for the data unit, and

determining the priority based on the determined sequence number.

6. (Original) The method in claim 5, wherein the determining step further comprises:

determining a highest sequence number of multiple data units associated with the one data flow, and

determining which of the other data units associated with the one data flow is a retransmission based on the determined highest sequence number.

7. (Original) The method in claim 6, wherein the determining step further comprises:

taking into account a modulo sequence numbering in determining which data units are retransmissions.

8. (Original) The method in claim 2, wherein the determining step further comprises:

determining a type of control data unit, and

determining the priority based on the determined the type of control data unit.

9. (Original) The method in claim 2, further comprising:

storing data units associated with the one data flow in memory at the medium access control layer so that higher priority data units are accessed for transmission before lower priority data units.

10. (Original) The method in claim 9, further comprising:

removing duplicate data packets from the memory.

11. (Original) The method in claim 9, wherein the analysis further comprises:

analyzing information in a payload portion of the radio link control data unit.

12. (Original) The method in claim 11, wherein the determining step further

comprises:

if a polling bit is set in a first data unit associated with the one data flow, setting the polling bit in the header of a second data unit associated with the one data flow with a priority higher than that of the first data unit.

13. (Previously Presented) The method in claim 1, wherein the radio network includes a radio network controller (RNC) coupled for communication with the radio base station, and wherein the higher radio link layer is a radio link control (RLC) layer implemented

in the RNC and the medium access control layer is a high speed-downlink shared channel (HS-DSCH) medium access control layer implemented in the radio base station.

14. (Previously Presented) The method in claim 13, wherein the method does not rely on priority-specific signaling from the RNC to the radio base station to perform the determining step.

15. (Previously Presented) A node in a radio network for use in facilitating a communication includes at least one data flow over a wireless interface with a user equipment node (UE), where the node is a radio base station which comprises:

a medium access controller for receiving data units from a higher radio link controller included in a radio network controller (RNC), the medium access controller being further configured to:

analyze some or all of a radio link control layer header of a radio link control data unit associated with the one data flow;

determine, based on the analysis, a priority of the one data unit relative to other data units associated with the one data flow; and

schedule transmission of higher priority data units associated with the one data flow before lower priority data units associated with the one data flow.

16. (Previously Presented) The node in claim 15, wherein the medium access controller is configured to determine the priority based on radio link control data unit header information that does not explicitly indicate a priority for the data unit.

17. (Previously Presented) The node in claim 15, wherein the medium access controller is configured to:

determine whether the data unit is a control type of data unit or a data type of data unit, and

determine the priority based on the determined data unit type.

18. (Previously Presented) The node in claim 15, wherein the medium access controller is configured to:

prioritize retransmission of a previously-transmitted data unit associated with the one data flow over an original transmission of a data unit associated with the one data flow.

19. (Previously Presented) The node in claim 15, wherein the medium access controller is configured to:

determine a sequence number for the data unit, and

determine the priority based on the determined sequence number.

20. (Previously Presented) The node in claim 19, wherein the medium access controller is configured to:

determine a highest sequence number of multiple data units associated with the one data flow, and

determine which of the other data units associated with the one data flow is a retransmission based on the determined highest sequence number.

21. (Previously Presented) The node in claim 20, wherein the medium access controller is configured to:

take into account a modulo sequence numbering in determining which data units are retransmissions.

22. (Previously Presented) The node in claim 16, wherein for a control type of data unit, the controller is configured to:

determine a type of control data unit, and

determine the priority based on the determined the type of control data unit.

23. (Previously Presented) The node in claim 16, further comprising:

a buffer for storing data units associated with the one data flow at the medium access control layer so that higher priority data units are accessed for transmission before lower priority data units.

24. (Previously Presented) The node in claim 23, wherein the medium access controller is configured to:

analyze information in a payload portion of the radio link control data unit.

25. (Previously Presented) The node in claim 24, wherein the medium access controller is configured to:

determine if a polling bit is set in a first data unit associated with the one data flow, and

if so, set the polling bit in the header of a second data unit associated with the one data flow with a priority higher than that of the first data unit.

26. (Previously Presented) The node in claim 15, wherein the medium access control layer is a high speed-downlink shared channel (HS-DSCH) medium access control layer implemented in the radio base station.

27. (Previously Presented) The node in claim 26, wherein the medium access controller is configured to not rely on priority-specific signaling from a radio network controller (RNC) to the radio base station.

28. (Original) A mobile radio communications system including the node in claim 15.

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29. Canceled.

30. Canceled.